

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA

VS.

**DEHSHID NOURIAN (02)
CHRISTOPHER RYDBERG (03)
MICHAEL TABA (07)**

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Case No. 3:17-CR-155-L

**DEFENDANTS DAVID NOURIAN’S, CHRISTOPHER RYDBERG’S, AND MICHAEL
TABA’S UNOPPOSED MOTION TO EXTEND THE DEADLINE TO FILE MOTIONS
FOR NEW TRIAL UNDER FEDERAL RULE OF CRIMINAL PROCEDURE 33**

Defendants David Nourian, Christopher Rydberg, and Michael Taba move to extend the deadline to file motions for new trial, if any, under Federal Rule of Criminal Procedure 33 to 21 days after receiving the complete trial transcript of this case. The government is unopposed to this request for relief.

The jury returned its verdict in this case on November 16, 2023. (Dkt. 721.) Under Federal Rule of Criminal Procedure 33(b)(2), motions for new trial are currently due 14 days after the jury returned its verdict, or November 30, 2023. Defendants request that the Court extend that deadline until 21 days after the parties receive the full trial transcript as it did for motions under Rule 29. The Defendants also request that the Court enter the same briefing schedule as it did for motions under Rule 29, that is, government response briefs are due 21 days after the defendants file their motions and defendants’ reply briefs are due 14 days after the government files its responses. (*See* Dkt. 733.)

Good cause exists for the requested extension under Rule 45(b). First, the reasons that supported the Court’s decision to extend the deadline for motions under Rule 29—the length and complexity of the trial—apply equally to motions under Rule 33. Second, defense counsel cannot properly raise potential trial error without a complete transcript. For instance, the transcript is not

yet complete for the charge conference or closing arguments, two phases of the trial that are often at issue in motions for new trial. Finally, putting Rule 33 motions on the same track as Rule 29 motions will allow the Court to hold one, consolidated hearing on post-trial motions, if necessary.

CONCLUSION

For the foregoing reasons, the Defendants ask the Court to extend the deadline to file motions for new trial under Rule 33 until 21 days after the parties receive a complete trial transcript and to set a briefing schedule that mirrors the schedule in its order on Rule 29 motions. (*See* Dkt. 733.)

Respectfully submitted,

/s/ Andrew O. Wirmani

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CERTIFICATE OF CONFERENCE

I hereby certify that on November 27, 2023 I conferred with counsel for the government, Ethan Womble, who indicated that the government was unopposed to this Motion.

/s/ Andrew O. Wirmani
Andrew O. Wirmani

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument was served by electronic transmittal by CM/ECF to opposing counsel on November 27, 2023.

/s/ Andrew O. Wirmani
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